IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION NO. 2426 OF 2006

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Smt. A.A. Joshi, Advocate for the applicant.
Shri Y.B. Mandpe, APP for the respondent.

CORAM : B.R. GAVAI, J.
10TH AUGUST, 2006

This is an application for grant of bail. The applicant has been arrested in connection with the Crime No. 233/2006 for the offence punishable under Sections 66(1)(b), 65(b)(c)(f) of Bombay Prohibition Act read with Section 328 of the Indian Penal Code.

Heard the learned Counsel for the parties.

It is the allegation of the prosecution that the applicant was caught red handed while distilling illicit liquor along with cells of battery, Navsagar, Beshram leaves etc.

Shri Y.B. Mandpe, the learned APP vehemently opposes the application on the ground that the applicant is charged with an offence punishable under Section 328 which carries the sentence of imprisonment of ten years. He submits that since the battery and

navsagar and beshram leaves were found, the prosecution has good case in so far as Section 328 is concerned.

Taking into consideration the nature of allegation, I am inclined to allow the application. The application is allowed.

(1) The applicant is directed to be released on bail in connection with Crime No. 233 of 2005 registered by the Police Station, Wardha on furnishing his bail bond of Rs.15,000/- (rupees fifteen thousand only) with one or more sureties in the like amount.

(2) The applicant shall report to the Police Station, Wardha on 1st Sunday of every month at 11:00 a.m.

(3) The applicant shall cooperate with the investigation. The applicant shall not in any way make an attempt to influence the witness or tamper with the evidence.

JUDGE

*rrg.